

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

FRANK PRUCHNIK,
Plaintiff,

V.

ROBERT BUERKLE GmbH & CO.
Defendant.

CIVIL ACTION NO.

04-10868 NMG

**JOINT STATEMENT OF THE PARTIES IN PREPARATION FOR INITIAL
SCHEDULING CONFERENCE**

Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, Local Rule 16.1, and the Court's Notice of Scheduling Conference, counsel certify that they have conferred concerning, among other things: the nature and basis of their claims and defenses, the possibility of a settlement of the case, preparing an agenda for matters to be discussed at the scheduling conference, and preparing a proposed pretrial schedule for the case including a plan for discovery.

I. PROPOSED PRETRIAL SCHEDULE

The parties anticipate that discovery may be conducted along the following schedule:

Deadline

Event

July 31, 2006

Complete automatic discovery consistent with Fed.
R. Civ. P. 26(a)(1) and Local Rule 26.2(A).

March 2, 2007

Completion of all discovery, other than requests for expert disclosures.

March 15, 2007

Plaintiff's service of all expert disclosures, if any,
pursuant to Fed. R. Civ. P. 26(a)(2).

April 30, 2007

Defendant's service of all expert disclosures, if any,
pursuant to Fed. R. Civ. P. 26(a)(2).

May 31, 2007

Deadline to complete expert depositions.

June 15, 2007

File any dispositive motions under Fed. R. Civ. P. 56, with all supporting documents.

To be determined

A pretrial conference, if necessary following decision on dispositive motions, with all dates following such pretrial conference, including expert disclosure and discovery, to be scheduled at the Court's discretion.

The parties do not believe it is necessary for discovery to proceed in "phases," except as set forth in its proposed discovery schedule above.

II. TRIAL BY MAGISTRATE JUDGE

Neither party consents to the magistrate at this time.

III. CERTIFICATIONS UNDER LOCAL RULE 16.1(D)(3)

The defendant has submitted its Certification under separate cover.

Respectfully submitted,

Frank Pruchnik,
By his attorneys,

Robert Buerkle GmbH & CO
By its attorneys,

/s/ Martin Kantrowitz
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